

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

ORDER:

This motion is
denied as moot.

*John Bryant,
USMJ*

UNITED STATES OF AMERICA)
)
)
)
 v.) No. 3:13-00145
) MAGISTRATE JUDGE BRYANT
) DISTRICT JUDGE CAMPBELL
DEKITA BASS)

DEFENDANT'S MOTION TO EXCLUDE LAB REPORT AND INTERPRETATION

Pursuant to Fed. R. Crim. P. 32.1(b)(2)(C), Defendant Dekita Bass moves the Court to exclude the reports and interpretation letter of Alere Laboratories unless the government produces its witnesses for cross-examination.

Background

Dekita Bass, raised by her grandmother, graduated from Whites Creek High School in 1996 with honors. She attended college and eventually became a dental assistant. In May 2011, she lost that job when the federal government told her employer she was under investigation for fraud in connection with loans taken out in her name. Over two years later, the government indicted her in the instant case. Having no history of violence or criminal convictions, she was released on standard conditions after making her initial appearance on August 27, 2013.

That same day she gave a urine sample to be tested for drugs. Because she was a heavy (daily) marijuana smoker, her test allegedly showed THCA (11-nor-9-carboxy-delta-9-tetrahydrocannabinol, or "THCCOOH") in her urine at a level of 983 ng/mL (i.e., more than 65 times higher than the typical cut-off level). Over the next 41 days she gave three additional urine samples. According to Alere Laboratories, she tested at the following levels for THCA: